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17 **UNITED STATES DISTRICT COURT**

18 **DISTRICT OF NEVADA**

19 UNITED STATES OF AMERICA,

20 Plaintiff,

21 vs.

22 MARIA MANDUJANO SANCHEZ,

23 Defendant.

24 CASE NO. 2:21-cr-00328-GMN-DJA
2:21-cr-00226-GMN-NJK

25 **STIPULATION AND ORDER
26 TO CONTINUE SENTENCING FOR
27 CONSOLIDATED CASES**

28 Maria Mandujano Sanchez, by and through counsel of record Michael Anthony Hernandez and Jacqueline Tirinnanzi, and the United States of America, by and through Assistant United States Attorney Allison Reese, hereby stipulate and request that the Court vacate Ms. Mandujano Sanchez's sentencing hearing currently set for May 9, 2023, at 9:00 a.m. and continue it to a later date convenient to the Court, but no sooner than twenty-one (21) days. This stipulation is made and based upon the following:

29 1. The parties agree to the continuance.

- 1 2. On March 2, 2022, Ms. Mandujano Sanchez pleaded guilty to one count of Importation
- 2 of a Controlled Substance (cocaine) in violation of 21 U.S.C. §§ 952 and 960. ECF No.
- 3 15. Sentencing in this case is currently scheduled for May 9, 2023 at 9 a.m.
- 4 3. On June 27, 2022, as the result of an unopposed motion (ECF No. 21), this Court issued
- 5 an order granting the consolidation of the matter in Case No. 2:21-cr-00226-JCM-NJK
- 6 into the instant case. Case No. 2:21-00226-JCM-NJK; ECF No. 68 and Case No. 2:21-cr-
- 7 00328-GMN-DJA-1; ECF No. 22
- 8 4. On December 6, 2022 Ms. Mandujano Sanchez pleaded guilty to one count of Conspiracy
- 9 to Distribute a Controlled Substance in violation of 21 U.S.C. §§ 841(a)(1),
- 10 841(b)(1)(A)(viii), and 846 in Case No. 2:21-cr-00226-GMN-NJK. ECF No. 89.
- 11 Sentencing is also scheduled for May 9, 2023, at 9 a.m. ECF No. 95.
- 12 5. Defense counsel's ability to effectively and thoroughly explore all factors relevant to
- 13 Ms. Mandujano Sanchez's mitigation and sentencing presentation requires a modest
- 14 amount of additional time to prepare. Counsel are utilizing expert services in preparation
- 15 for sentencing and the expert requires additional time for preparation of their report. As a
- 16 courtesy, defense counsel will provide said report to the government so they can determine
- 17 whether a counter expert report will be offered, also requiring additional time prior to
- 18 sentencing.
- 19 6. Additionally, Mr. Hernandez, who is representing Ms. Mandujano pro hac vice on the
- 20 importation portion of the case, has scheduling conflicts on the current date. He also
- 21 resides out of state and travel to Las Vegas is challenging for him with the current
- 22 sentencing date.
- 23 7. The additional time requested by this stipulation is reasonable pursuant to Fed. R. Crim.
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1 P. 32(b)(2), which states that, “the court may, for good cause, change any time limits
2 prescribed [for sentencing] in this rule.” Furthermore, a delay in sentencing does not
3 implicate or undermine the defendant’s speedy trial rights under the United States
4 Constitution. *See Betterman v. Montana*, 136 S.Ct. 1609, 1617-18 (2016).

5 8. This is the fourth request for a continuance of the sentencing in Case No. 2:21-cr-00328-
6 GMN-DJA and the second request for a continuance of sentencing in case No. 2:21-cr-
7 00226-GMN-JCA. The additional time requested herein is not sought for purposes of
8 delay. No further continuances are anticipated.

9 9. Denial of this request for a continuance would deny counsel for Ms. Mandujano Sanchez
10 sufficient time to effectively and thoroughly prepare for sentencing, taking into account
11 due diligence. Accordingly, a denial of this request for continuance could result in a
12 miscarriage of justice.

13 10. Ms. Mandujano Sanchez is in custody and agrees to the proposed continuances.

14

15 Dated May 4, 2023.

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17
18 /s/ Allison Reese
19 ALLISON REESE, ESQ.
20 Assistant U.S. Attorney

21 /s/ Michael Anthony Hernandez
22 MICHAEL ANTHONY HERNANDEZ, ESQ.
23 Counsel for Maria Mandujano Sanchez

24 /s/ Jacqueline Tirinnanzi
25 JACQUELINE TIRINNANZI, ESQ.
26 Counsel for Maria Mandujano Sanchez

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARIA MANDUJANO SANCHEZ,

Defendant.

CASE NO. 2:21-cr-00328-GMN-DJA
2:21-cr-00226-GMN-NJK

**STIPULATION AND ORDER
TO CONTINUE SENTENCING FOR
CONSOLIDATED CASES**

FINDINGS OF FACT

1. The parties agree to the continuance.
2. On March 2, 2022, Ms. Mandujano Sanchez pleaded guilty to one count of Importation of a Controlled Substance (cocaine) in violation of 21 U.S.C. §§ 952 and 960. ECF No. 15. Sentencing in this case is currently scheduled for May 9, 2023 at 9 a.m.
3. On June 27, 2022, as the result of an unopposed motion (ECF No. 21), this Court issued an order granting the consolidation of the matter in Case No. 2:21-cr-00226-JCM-NJK into the instant case. Case No. 2:21-00226-JCM-NJK; ECF No. 68 and Case No. 2:21-cr-00328-GMN-DJA-1; ECF No. 22
4. On December 6, 2022 Ms. Mandujano Sanchez pleaded guilty to one count of Conspiracy to Distribute a Controlled Substance in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(viii), and 846 in Case No. 2:21-cr-00226-GMN-NJK. ECF No. 89. Sentencing is also scheduled for May 9, 2023, at 9 a.m. ECF No. 95.
5. Defense counsel's ability to effectively and thoroughly explore all factors relevant to Ms. Mandujano Sanchez's mitigation and sentencing presentation requires a modest

1 amount of additional time to prepare. Counsel are utilizing expert services in preparation
2 for sentencing and the expert requires additional time for preparation of their report. As a
3 courtesy, defense counsel will provide said report to the government so they can determine
4 whether a counter expert report will be offered, also requiring additional time prior to
5 sentencing.

6

7 6. Additionally, Mr. Hernandez, who is representing Ms. Mandujano pro hac vice on the
8 importation portion of the case, has scheduling conflicts on the current date. He also
9 resides out of state and travel to Las Vegas is challenging for him with the current
10 sentencing date.

11

12 7. The additional time requested by this stipulation is reasonable pursuant to Fed. R. Crim.
13 P. 32(b)(2), which states that, “the court may, for good cause, change any time limits
14 prescribed [for sentencing] in this rule.” Furthermore, a delay in sentencing does not
15 implicate or undermine the defendant’s speedy trial rights under the United States
16 Constitution. *See Betterman v. Montana*, 136 S.Ct. 1609, 1617-18 (2016).

17

18 8. This is the fourth request for a continuance of the sentencing in Case No. 2:21-cr-00328-
19 GMN-DJA and the second request for a continuance of sentencing in case No. 2:21-cr-
20 00226-GMN-JCA. The additional time requested herein is not sought for purposes of
21 delay. No further continuances are anticipated.

22

23 9. Denial of this request for a continuance would deny counsel for Ms. Mandujano Sanchez
24 sufficient time to effectively and thoroughly prepare for sentencing, taking into account
25 due diligence. Accordingly, a denial of this request for continuance could result in a
26 miscarriage of justice.

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28 10. Ms. Mandujano Sanchez is in custody and agrees to the proposed continuances.

CONCLUSION OF LAW

For all the above-stated reasons, the ends of justice are served by granting the requested continuance for the following reasons: Additional time requested by this stipulation is reasonable pursuant to Fed. R. Crim. P. 32(b)(2), which states that the “court may, for good cause, change any time limits prescribed [for sentencing] in this rule.” Furthermore, a delay in sentencing does not implicate or undermine the defendant’s speedy trial rights under the United States Constitution. *See Betterman v. Montana*, 136 S.Ct. 1609, 1617-18 (2016). Failure to grant the continuance would deny parties sufficient time to meaningfully continue to prepare for sentencing, considering the exercise of due diligence. Accordingly, a denial of this request for continuance could result in a miscarriage of justice.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

VS.

MARIA MANDUJANO SANCHEZ,

Defendant

CASE NO. 2:21-cr-00328-GMN-DJA
2:21-cr-00226-GMN-NJK

ORDER

Based upon the stipulation of the parties, and good cause appearing, it is hereby ORDERED that Ms. Mandujano Sanchez's sentencing hearing set for May 9, 2023, hereby is, VACATED.

IT IS FURTHER ORDERED that the sentencing hearing is reset for May 31, 2023, at the hour of 2 PM in courtroom 7D.

Dated this 5 day of May 2023.

THE HONORABLE GLORIA M. NAVARRO
UNITED STATES DISTRICT JUDGE